

IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A fixing apparatus for fixing a visible image, comprising:

a fixing member; and

an opposite member formed at an opposite side of said fixing member so as to form a nip between said fixing member and said opposite member, wherein the fixing apparatus uses a toner having ~~a volume mean grain size of from 5 to 10 micrometers~~ and a grain size not larger than 5 micrometers accounting for at least 60 ~~through 80~~ number percent, wherein a surface resistivity of the opposite member is between 1×10^7 through $1 \times 10^{10} \Omega/\text{square}$.

Claim 2 (Previously Presented): The fixing apparatus according to Claim 1, wherein the opposite member has a surface coated with a layer of fluoresin with a carbon content.

Claim 3 (Previously Presented): The fixing apparatus according to Claim 1, wherein the opposite member has a surface layer, a core, and an insulating layer provided between the surface layer and the core.

Claim 4 (Original): The fixing apparatus according to Claim 1, wherein the toner comprises resin constituents, colorants, wax constituents, and inorganic particulates.

Claim 5 (Original): The fixing apparatus according to Claim 1, wherein the toner is manufactured by pulverization or polymerization.

Claim 6 (Previously Presented): The fixing apparatus according to Claim 2, wherein the surface of the opposite member coated with the layer of fluoresin with a carbon content contains an electroconductive agent of spherical carbon, a percentage composition of the electroconductive agent being conditional on the surface resistivity of the opposite member, standing at less than $1 \times 10^{10} \Omega/\text{square}$ when the voltage at the time of measurement is 500V and not less than $1 \times 10^7 \Omega/\text{square}$ at 10V.

Claim 7 (Original): The fixing apparatus according to Claim 4, wherein the resin constituent comprises at least one constituent selected from the group consisting of styrene, poly- α -stilstyrene, styrene-chlorostyrene copolymer, styrene-propylene copolymer, styrene-butadiene copolymer, styrene-vinyl chloride copolymer, styrene-vinyl acetate copolymer, styrene-maleic acid copolymer, styrene-acrylic ester copolymer, styrene-methacrylic acid ester copolymer, styrene- α -chloroacrylic methyl copolymer, styrene-acrylonitrile-acrylic ester copolymer and other styrene resins (polymers or copolymers containing styrene or styrene substitution product), polyester resin, epoxy resin, vinyl chloride resin, rosin modified maleic acid resin, phenol resin, polyethylene resin, polyester resin, polypropylene resin, petroleum rosin, polyurethane resin, ketone resin, ethylene-ethylacrylate copolymer, xylene resin, and polyvinyl butyral.

Claim 8 (Original): The fixing apparatus according to Claim 4, wherein the colorant comprises at least one colorant selected from the group consisting of carbon black, lampblack, iron black, ultramarine blue, nigrosine dye, aniline blue, chalco oil blue, oil black, and azo oil black.

Claim 9 (Original): The fixing apparatus according to Claim 4, wherein the wax constituent comprises at least one wax constituent selected from the group consisting of a carnauba wax, rice wax, and synthetic ester wax.

Claim 10 (Original): The fixing apparatus according to Claim 4, wherein the inorganic particulates comprise at least one kind of particulates selected from the group consisting of silica particulates and titanium oxide particulates.

Claim 11 (Currently Amended): An image-forming device comprising a fixing apparatus, the fixing apparatus comprising:

a fixing member; and

an opposite member formed at an opposite side of said fixing member so as to form a nip between said fixing member and said opposite member, wherein the fixing apparatus uses a toner having ~~a volume mean grain size of from 5 to 10 micrometers~~ and a grain size not larger than 5 micrometers accounting for at least 60 ~~through 80~~ number percent, wherein a surface resistivity of the opposite member is between 1×10^7 through $1 \times 10^{10} \Omega/\text{square}$.

Claim 12 (Previously Presented): The image-forming device according to Claim 11, wherein the opposite member has a surface coated with a layer of fluoresin with a carbon content.

Claim 13 (Previously Presented): The image-forming device according to Claim 11, wherein the opposite member has a surface layer, a core, and an insulating layer provided between the surface layer and the core.

Claim 14 (Original): The image-forming device according to Claim 11, wherein the toner comprises resin constituents, colorants, wax constituents, and inorganic particulates.

Claim 15 (Original): The image-forming device according to Claim 11, wherein the toner is manufactured by pulverization or polymerization.

Claim 16 (Previously Presented): The image-forming device according to Claim 12, wherein the surface of the opposite member coated with the layer of fluoresin with a carbon content contains an electroconductive agent of spherical carbon, a percentage composition of the electroconductive agent being conditional on the surface resistivity of the opposite member, standing at less than $1 \times 10^{10} \Omega/\text{square}$ when the voltage at the time of measurement is 500V and not less than $1 \times 10^7 \Omega/\text{square}$ at 10V.

Claim 17 (Original): The image-forming device according to Claim 14, wherein the resin constituent comprises at least one constituent selected from the group consisting of styrene, poly- α -stilstyrene, styrene-chlorostyrene copolymer, styrene-propylene copolymer, styrene-butadiene copolymer, styrene-vinyl chloride copolymer, styrene-vinyl acetate copolymer, styrene-maleic acid copolymer, styrene-acrylic ester copolymer, styrene-methacrylic acid ester copolymer, styrene- α -chloroacrylic methyl copolymer, styrene-acrylonitrile-acrylic ester copolymer and other styrene resins (polymers or copolymers containing styrene or styrene substitution product), polyester resin, epoxy resin, vinyl chloride resin, rosin modified maleic acid resin, phenol resin, polyethylene resin, polyester

resin, polypropylene resin, petroleum resin, polyurethane resin, ketone resin, ethylene-ethylacrylate copolymer, xylene resin, and polyvinyl butyral.

Claim 18 (Original): The image-forming device according to Claim 14, wherein the colorant comprises at least one colorant selected from the group consisting of carbon black, lampblack, iron black, ultramarine blue, nigrosine dye, aniline blue, chalcocite blue, oil black, and azo oil black.

Claim 19 (Original): The image-forming device according to Claim 14, wherein the wax constituent comprises at least one wax constituent selected from the group consisting of a carnauba wax, rice wax, and synthetic ester wax.

Claim 20 (Original): The image-forming device according to Claim 14, wherein the inorganic particulates comprise at least one kind of particulates selected from the group consisting of silica particulates and titanium oxide particulates.

Claims 21-30 (Canceled).

Claim 31 (New): The fixing apparatus for fixing a visible image according to Claim 1, wherein the fixing apparatus uses a toner having a grain size not larger than 5 micrometers accounting for 60 through 80 number percent.

Claim 32 (New): The fixing apparatus for fixing a visible image according to Claim 11, wherein the fixing apparatus uses a toner having a grain size not larger than 5 micrometers accounting for 60 through 80 number percent.